

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

|                           |   |                        |
|---------------------------|---|------------------------|
| UNITED STATES OF AMERICA, | ) |                        |
|                           | ) |                        |
| Plaintiff,                | ) |                        |
|                           | ) |                        |
| v.                        | ) | No. S5-4:15CR00404 HEA |
|                           | ) |                        |
| MICHAEL GRADY, and        | ) |                        |
| OSCAR DILLON, III,        | ) |                        |
|                           | ) |                        |
| Defendants.               | ) |                        |

**GOVERNMENT'S MOTION FOR LEAVE TO SUPPLEMENT POINT V  
(IMPEACHMENT BY PRIOR CONVICTIONS)  
OF OMNIBUS MOTIONS IN LIMINE**

COMES NOW the United States of America, by and through Sayler A Fleming, United States Attorney for the Eastern District of Missouri, and Donald Boyce and Michael A. Reilly, Assistant United States Attorneys for said District, and for its motion to supplement Point V of its Omnibus Motions in Limine ["Omnibus Motions," DCD 3115], states as follows:

On March 11, 2021, the United States filed its Omnibus Motions, which included its arguments in support of offering Defendant Grady's previous forgery convictions as impeachment evidence pursuant to Rule 609(b). The legal standards are set forth in the Omnibus Motions and incorporated herein by reference. The nature of the conduct giving rise to the underlying forgery convictions is set forth in *State v. Grady*, 691 S.W.2d 301, 302 (Mo. App. 1985). (Attachment A). The Missouri Court of Appeals found that

Defendant utilized the victim's credit card at the same business on two separate occasions on the same date. Defendant falsely signed the name of the owner of the credit card, A.H., on each occasion. Between 10:00 a.m. and 11:00 a.m., Defendant Grady drove a green truck to a gas station and forged the signature of the A.T. on a credit card slip. Later that same day, Defendant Grady returned at approximately 6:00 p.m., driving a red Cutlass, made another purchase with the credit card, and again signed the name A.T. The owner of the credit card testified that the signatures on the receipts were not his, and he did not authorize Defendant Grady to sign his name. *State v. Grady*, 691 S.W.2d at 302.

The forgery convictions involve deceit and creating and uttering false documents as genuine. In the present case, Defendant's charges include attempted obstruction of justice and attempted tampering with a witness, in part by causing an affidavit to be created and filed. This presents a degree of similarity between the forgery convictions and some of the present charges.

WHEREFORE, the United States respectfully moves to supplement its previous filed Omnibus Motion as to Point V, with the information set forth herein.

Respectfully submitted,

SAYLER A. FLEMING  
United States Attorney

s/ Michael A. Reilly

MICHAEL A. REILLY #43908MO  
DONALD BOYCE #6282562IL  
Assistant United States Attorneys

**CERTIFICATE OF SERVICE**

I hereby certify that on March 16, 2021, the foregoing was filed electronically with the Clerk of the Court to be served upon Counsel of record.

*s/Michael A. Reilly*

Michael A. Reilly, 43908MO  
Assistant United States Attorney